



WOLF, GREENFIELD & SACKS, PC
FEDERAL RESERVE PLAZA
600 ATLANTIC AVENUE
BOSTON, MA 02210-2211

In re Application of)
VEXLER et al.)
Application No. 09/585,072)
Filed: June 1, 2000)
For: Twisted Pair Cable with Dual Layer Insulation)
Having Improved Transmission Characteristics)

MAR 6 2002

DECISION ON REQUEST

This is a decision on the request, filed via facsimile transmission on December 11, 2001, to remain an Office communication.

The request is **GRANTED**.

A Notice of Non-Compliant Amendment (Notice) was mailed on July 23, 2001. Petitioner states that the Notice was not received by counsel. The request includes a copy of a power of attorney and request for a change of correspondence address, along with a postcard indicating receipt thereof by the Patent and Trademark Office (USPTO) on June 27, 2001.

The power of attorney and request for a change of correspondence address is not of record in the application file and cannot be located. However, M.P.E.P. § 503 states that "(a) post card receipt which itemizes and properly identifies the items which are being filed serves as *prima facie* evidence of receipt in the USPTO of all the items listed thereon on the date stamped thereon by the USPTO." Accordingly, it is concluded that the power of attorney and request for a change of correspondence address was received in the USPTO on June 27, 2001 but lost after receipt thereof. Consequently, it is concluded that the Notice mailed on July 23, 2001 was not addressed to the proper correspondence address. In view of the mailing of the Notice to an incorrect correspondence address, the request to remain the Notice is granted.

The application file is being forwarded to technical support staff for Technology Center 2800 for re-mailing of the Notice of Non-Compliant Amendment of July 23, 2001 to the proper correspondence address. The period for response will be restarted along with the re-mailing of the Notice.

Edward Glick, Special Programs Examiner
Technology Center 2800 - Semiconductors, Electrical
and Optical Systems and Components